

THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

DOCKET NO. 2006-107-W/S

IN RE:

Application of United Utility Companies,  
Inc. for adjustment of rates and charges  
and modifications to certain terms  
and conditions for the provision of  
water and sewer service.

**RESPONSE TO APPLICANT'S  
MOTION FOR ORDER PROHIBITING  
INTRODUCTION OR ADMISSION  
OF SURREBUTTAL TESTIMONY**

Intervenor, North Greenville University (the University), respectfully submits this Response to Applicant's Motion for Order Prohibiting Introduction or Admission of Surrebuttal Testimony. As grounds for this Response, the University hereby incorporates the matters set forth in its Motion for Leave to Serve Surrebuttal Testimony Late, filed contemporaneously herewith.

In addition, the University further wishes to point out the Applicant's repeated attempts to prevent the University, one of its customers, from involving itself in these rate proceedings. Every time the University files a document with the Commission, the Applicant attempts to block its introduction. Initially, the Applicant moved to dismiss the University's motion to intervene, which the Commission promptly denied, recognizing that as a customer of the Applicant, the University obviously has a right to make itself heard with respect to the rates it pays for wastewater treatment services. See Commission Hearing Officer Directive dated August 1, 2006. Secondly, Applicant moved to prohibit the introduction of and/or strike certain portions of the University's pre-filed direct testimony. See Motion for Order Prohibiting Introduction or Admission of Testimony and Motion to Strike Testimony filed August 3, 2006. Likewise, the Applicant moved to prevent the introduction of the University's rebuttal testimony. See Motion

for Order Prohibiting Introduction or Admission of Rebuttal Testimony of Dr. James Epting filed August 8, 2006. Not surprisingly, the Applicant is now trying to prevent the introduction of the University's surrebuttal testimony. Clearly, the Applicant does not want the Commission to hear what the University has to say regarding its business practices. However, the University has a right to intervene, it has a right to submit testimony, and it has acted only in good faith in submitting its testimony. Accordingly, it is unconscionable of the Applicant to continue to rely on small, non-prejudicial, honest mistakes to try to prevent the University from exercising its rights to participate in this proceeding.

Accordingly, for the reasons set forth above, Applicant's Motion should be denied.

Respectfully submitted,

s/ Duke K. McCall, Jr.

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**CERTIFICATE OF MAILING**

IT IS HEREBY CERTIFIED that a copy of North Greenville University's **Response to Applicant's Motion for Order Prohibiting Introduction or Admission of Surrebuttal Testimony** was served upon all interested parties by placing a copy of the same in the United States Mail, postage prepaid, on the 17th day of **August, 2006**, addressed as follows:

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Chief Clerk/Administrator  
Public Service Commission  
Post Office Drawer 11649  
Columbia, SC 29210

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s/ Duke K. McCall, Jr.

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